

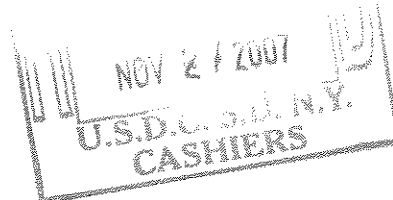
Judge Berman

07 CV 10629

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Southern District of New York  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA,  
:  
- v -  
:  
\$49,000 in United States currency,  
:  
Defendant-in-rem.  
:  
-----X



VERIFIED COMPLAINT

07 Civ.

Plaintiff United States of America, by its attorney,  
Michael J. Garcia, United States Attorney for the Southern  
District of New York, for its complaint alleges as follows:

I. JURISDICTION AND VENUE

1. This action is brought pursuant to 21 U.S.C. § 881  
by the United States of America seeking the forfeiture of \$49,000  
in United States currency (the "defendant-in-rem currency");

2. This Court has jurisdiction pursuant to 28 U.S.C.  
§§ 1345 and 1355. Venue is proper under 28 U.S.C. § 1355(a)  
because the actions giving rise to forfeiture took place in the  
Southern District of New York and the defendant-in-rem currency  
was found and seized in the Southern District of New York.

3. The defendant-in-rem currency is presently in the

custody of the United States Marshals Service ("USMS") Seized Asset Deposit Fund Account held at the Federal Reserve Bank.

## II. PROBABLE CAUSE FOR FORFEITURE

4. On or about June 15, 2007, New York Drug Enforcement Task Force ("NYDETF") Group T-23 Task Force Officer Detective Politoski received information from a confidential source ("CS") about a possible narcotics transaction involving multiple kilograms of cocaine in the Washington Heights neighborhood of Manhattan. Based on information provided by the confidential source, Detective Politoski conducted a stop of a 2004 GMC Envoy bearing Virginia license plate JYY2299. The 2004 GMC Envoy was later determined to be registered to Vince Lamont Staples, of Hampton, Virginia. The driver of the vehicle was Pedro Pabon.

5. Pabon gave Detective Politoski verbal consent to search the vehicle. Pursuant to Task Force procedures, the 2004 GMC Envoy was transported to the 30<sup>th</sup> Precinct, where a search of the vehicle resulted in the discovery of a hidden compartment under the back seat of the vehicle. During the search of the car, a New York State Trooper assigned to the NYDETF, Investigator Torres, removed from the hidden compartment \$49,000 in United States Currency.

6. Pabon made a verbal statement to Detective Politoski and NYPD Sergeant Nappi while at the 30<sup>th</sup> precinct,

stating that the GMC Envoy was not his car and he did not know anything about the hidden compartment or the money. The 2004 GMC Envoy, with Vehicle Identification Number 1GKDT13S842431891, and the \$49,000 in United States Currency, were seized, and Pabon was arrested on narcotics charges.

### III. CLAIM FOR FORFEITURE

7. Incorporated herein are the allegations contained in paragraphs one through six of the Complaint.

8. Pursuant to 21 U.S.C. § 881(a)(6), all moneys furnished or intended to be furnished in exchange for a controlled substance, all proceeds traceable to such exchanges, and all moneys used or intended to be used to facilitate such exchanges, in violation of Title 21 of the United States Code, are subject to seizure and forfeiture to the United States, and no property right exists in such proceeds.

9. The defendant-in-rem currency is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because there is probable cause to believe that it constitutes moneys intended to be furnished in exchange for a controlled substance, and/or proceeds traceable to such exchanges, and/or moneys used or intended to be used to facilitate such exchanges, in violation of Title 21 of the United States Code.

10. By reason of the above, the defendant-in-rem currency became, and is, subject to forfeiture to the United

States of America, pursuant to 21 U.S.C. § 881(a)(6).

WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the defendant-in-rem currency and that all persons having an interest in the defendant-in-rem currency be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the defendant-in-rem currency to the United States of America for disposition according to law, and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York  
November 27, 2007

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York  
Attorney for the Plaintiff  
United States of America

By: 


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## VERIFICATION

STATE OF NEW YORK )  
COUNTY OF NEW YORK )  
SOUTHERN DISTRICT OF NEW YORK )

SABRINA MAY, being duly sworn, deposes and says that she is a Special Agent with the Drug Enforcement Administration, New York Drug Enforcement Task Force, and as such has responsibility for the within action; that she has read the foregoing complaint and knows the contents thereof, and that the same is true to the best of her own knowledge, information and belief.

The sources of deponent's information and the grounds of her belief are official records and files of the New York City Police Department, the State of New York, and the United States Government, and information obtained directly by deponent during an investigation of alleged violations of Title 21, United States Code.

  
\_\_\_\_\_  
SABRINA MAY  
Special Agent  
New York Drug Enforcement Task Force  
Drug Enforcement Administration

Sworn to before me this  
27<sup>th</sup> day of November, 2007

NOTARY PUBLIC  
MICHAEL D. MAIMIN  
Notary Public, State of New York  
No. 02MA6088084  
Qualified in New York County  
Commission Expires March 8, 2007  
May 10, 2011